

**JIN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT  
CORPORATION and LAW DEBENTURE  
TRUST COMPANY OF NEW YORK,

Plaintiffs,

v.

C.A. No. 04-1494-(JJF)

NORTHWESTERN CORPORATION,

Defendant.

MAGTEN ASSET MANAGEMENT CORP.,

Plaintiff,

v.

C.A. Action No. 05-499 (JJF)

MICHAEL J. HANSON and ERNIE J. KINDT,

Defendants.

**AMENDED NOTICE OF DEPOSITION PURSUANT TO SUBPOENA  
(THE BANK OF NEW YORK)**

PLEASE TAKE NOTICE that the time for the deposition of The Bank of New York, pursuant to a subpoena served on March 23, 2007 [D.I. 128 in 04-1494; D.I. 162 in 05-499] has been changed. The deposition of The Bank of New York will now commence at 1:00 p.m. on May 2, 2007 at the offices of Fried, Frank, Harris, Shriver & Jacobson LLP, One New York Plaza, New York, NY 10004 (telephone number 212-859-8000). Please take further notice that the deposition may be recorded by stenographic and/or videographic means. Counsel for the parties are invited to attend.

Dated: Wilmington, Delaware  
May 1, 2007

**BLANK ROME LLP**

*Dale R. Dubé*

---

Dale R. Dubé (DE No. 2863)  
Bonnie G. Fatell (DE No. 3809)  
David W. Carickhoff (DE No. 3715)  
1201 Market Street, Suite 800  
Wilmington, DE 19801  
Telephone: (302) 425-6400  
Facsimile: (302) 425-6464

- and -

**FRIED, FRANK, HARRIS, SHRIVER  
& JACOBSON LLP**

Bonnie Steingart  
Gary L. Kaplan  
John W. Brewer  
One New York Plaza  
New York, NY 10004  
Telephone: (212) 859-8000  
Facsimile: (212) 859-4000

Counsel for Magten Asset Management  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of May, 2007, I served by hand delivery and electronic filing the **AMENDED NOTICE OF DEPOSITION PURSUANT TO SUBPOENA (THE BANK OF NEW YORK)**, using CM/ECF which will send notification of such filing(s) to the following:

**BY EMAIL AND HAND DELIVERY**

Denise Seastone Kraft, Esquire  
Edwards Angell Palmer & Dodge LLP  
919 North Market Street, 15th Floor  
Wilmington, DE 19801

Kathleen M. Miller  
Smith, Katzenstein & Furlow, LLP  
800 Delaware Avenue, 7<sup>th</sup> Floor  
P.O. Box 410  
Wilmington, DE 19899

Victoria Watson Counihan, Esquire  
Dennis A. Meloro, Esquire  
Greenberg Traurig LLP  
The Nemours Building  
1007 North Orange Street, Suite 1200  
Wilmington, DE 19801

I also certify that, on this 1<sup>st</sup> day of May, 2007, I served the aforementioned document, by e-mail and Federal Express, upon the following participants:

**BY EMAIL AND FEDERAL EXPRESS**

Stanley T. Kaleczyc, Esquire  
Kimberly A. Beatty, Esquire  
Browning, Kaleczyc, Berry & Hoven, P.C.  
139 North Last Chance Gulch  
P.O. Box 1697  
Helena, Mt 59624

John V. Snellings  
Amanda Darwin  
Nixon Peabody LLP  
100 Summer Street  
Boston, MA 02110

Steven J. Reisman, Esquire  
Joseph D. Pizzurro, Esquire  
Nancy E. Delaney, Esquire  
Miriam K. Harwood, Esquire  
Curtis, Mallet-Prevost, Colt & Mosle LLP  
101 Park Avenue  
New York, New York 10178-0061

*Dale R. Dubé*  
Dale R. Dubé (No. 2863)